

to develop our own resources then turn around and say we are going to stop or have the Federal Government regulate hydraulic fracturing. It is totally inconsistent, and I think it is a direct effort to misinform the people.

So in this meeting today, Senator MURKOWSKI did a handout, and I am going to read a couple of the quotes from some of the people who had previously testified before the committee. Keep in mind, this is after a 90-day shale gas report. They talked about hydraulic fracturing and all of that.

One quote is from Dr. Daniel Yergin, who is chairman of IHS Cambridge Energy Research Associates, and he is a bestselling author. He said:

There's a gap in perception—this idea that oil and gas is not regulated. We were all impressed by the quality and the focus, the long experience of the states in regulating oil and gas. . . . There's a strong backbone to it and that is not as well recognized in some circles. So I think there is a very strong fabric here.

Here is a quote. This is from Kathleen McGinty. I remember her from when she was an aide to Al Gore. She was chair of the Council on Environmental Quality during the Clinton administration. She said:

We didn't come up with any conclusion—

This is the 90-day shale report—

that the deck chairs need to be shuffled around. . . . There was nothing in the testimony that we heard or in the substance that we focused on or in the "what" needed to be done that led to a glaring conclusion that there was an actor missing from the scene.

Well, this is someone who comes from, completely, the other side. So I think it is very important. The more times you look at this thing, the more there is an awareness of the people—that is heightened almost on a daily basis—that we have all this opportunity, and we are not doing it just because of the political obstacles.

Dr. Stephen Holditch is the petroleum engineering department head, Samuel Roberts Noble chair, and professor of petroleum engineering at Texas A&M University. He said:

Local control, local understanding of best practices is really the best way to go. . . . There's nothing broken with the system now.

My State of Oklahoma is an oil State. A lot of our stuff is pretty shallow. On the other hand, in the Anadarko Basin, we have some of the more deep things. But if you look, for 60 years the States have regulated hydraulic fracturing, and it has worked very well. It is not one of these one-size-fits-all because in some States—when you get in New York and Pennsylvania, now, and the Marcellus Shale, the stuff is pretty deep, but it is abundant. Well, the regulation there would be different than it would be in my State of Oklahoma or in Louisiana or in New Mexico or any of the other oil States.

I was really glad to see this come out, and I am glad Senator MURKOWSKI is now letting people become aware of it because we have enough oil, gas, and

coal to be totally independent, if we can just get the obstacles out of the way. One of the techniques used in being able to recover this, of course, is hydraulic fracturing. So that is why a lot of the people who are trying to shut down fossil fuels are trying to shut down that process.

I had an experience—I wish I could remember the name of the company, but it was in Broken Arrow, OK—during the recess, where I was calling on different people, and there was a young man who started a company. He had been with a larger one. He is making platforms for hydraulic fracturing. Now, a platform is about one-fourth of the size of this Chamber I am speaking in right now. It is a very large thing. On the platform, so they can hydraulically fracture these wells, they have a very large diesel engine. A regulation came through—I was not even aware of this until I sat down with him; this is less than 1 month ago—he said the regulation was that you can no longer build platforms and use them for hydraulic fracturing unless you have a tier 4 engine.

Well, we went to check, and he was right. There is no tier 4 engine. It is on the drawing boards, but it is not available commercially now. So that is just another way through regulation they are trying to do away with hydraulic fracturing.

So we have to be on our toes, and we have to have a wake-up call for the American people. If we want to have good, clean, abundant, cheap energy, we have it right here in the United States of America, and we need to knock down the political obstacles and develop our own resources like everybody else does.

With that, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. KERRY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

## EXECUTIVE SESSION

### EXECUTIVE CALENDAR

Mr. KERRY. Madam President, I ask unanimous consent that the Senate proceed to executive session to consider the following nomination: Calendar No. 287; that the nomination be confirmed, the motion to reconsider be made and laid upon the table, with no intervening action or debate, and that no further motions be in order to the nomination; that any related statements be printed in the RECORD; that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nomination considered and confirmed is as follows:

#### DEPARTMENT OF STATE

Sung Y. Kim, of California, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Korea.

## LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

### UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. KERRY. Madam President, I ask unanimous consent that at a time to be determined by the majority leader, in consultation with the Republican leader, the Senate proceed to executive session to consider Calendar No. 78; that there be 4 hours for debate equally divided in the usual form; that upon the use or yielding back of time, the Senate proceed to vote without intervening action or debate on Calendar No. 78; that the motion to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order to the nomination; that any statements related to the nomination be printed in the RECORD; that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KERRY. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

### RECESS SUBJECT TO THE CALL OF THE CHAIR

Mr. REID. Madam President, I ask unanimous consent that the Senate stand in recess subject to the call of the Chair.

The PRESIDING OFFICER. There being no objection, the Senate, at 3:43 p.m., recessed subject to the call of the Chair.

### JOINT MEETING OF THE TWO HOUSES—ADDRESS BY THE HONORABLE LEE MYUNG-BAK, PRESIDENT OF SOUTH KOREA

Thereupon, the Senate, preceded by the Deputy Sergeant at Arms, Martina Bradford, the Secretary of the Senate, Nancy Erickson, and the Vice President of the United States, JOSEPH R. BIDEN, proceeded to the Hall of the House of Representatives to hear an

address to be delivered by the Honorable Lee Myung-Bak, President of South Korea.

(For the address delivered by the President of South Korea, see today's proceedings of the House of Representatives.)

Whereupon, at 5:03 p.m., the Senate, having returned to its Chamber, reassembled and was called to order by the Presiding Officer (Mr. FRANKEN).

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent to speak up to 20 minutes in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

### TRADE MEASURES

Mr. BROWN of Ohio. Mr. President, this Chamber considered trade measures this week for the first time in about 4 years. First, and most important, the bipartisan currency measure passed by an overwhelming majority, 63 to 35. This action on China's currency is long overdue. This is legislation of which I was the prime sponsor. We had major cosponsors in both political parties: LINDSEY GRAHAM of South Carolina, a Republican; CHUCK SCHUMER of New York, a Democrat; DEBBIE STABENOW from Michigan, a Democrat; JEFF SESSIONS from Alabama, a Republican; SUSAN COLLINS, a Republican from Maine; KAY HAGAN, a Democrat from North Carolina; BOB CASEY, Democrat from Pennsylvania. This was a strong bipartisan bill. My junior Senator, ROB PORTMAN from Ohio, former Trade Representative under President Bush, supported the legislation.

Basically it works this way. We know the kinds of job losses in places such as Duluth, MN or Toledo, OH, because China cheats. Pure and simple, they cheat. They depreciate or overappreciate their currency, making a weaker renminbi. That is the name of their currency term. When a company in Dayton, OH, or Youngstown, OH, sells a product into the Chinese market that the people of Xian or Wuan might consider buying, this company is faced with a 25- to 30- to 35-percent currency tax, currency tariff, making the product more expensive, making it much harder for the U.S. company to sell the product to China. At the same time going back the other way, the company in China, or the government in some cases, selling into the U.S. market gets a 25-, 30-, 35-percent subsidy, making it so much easier to sell.

I will give one perfect example, a regrettable example. There is a company

about 20 miles from where I live in Brunswick, OH, owned by the Bennett Brothers whom I met fairly recently in Cleveland, 25 miles outside of Cleveland, called Automation Tool and Die. The Bennett Brothers had a million dollar sale that they thought they were about to fill and at the last minute a Chinese company came in and underpriced them by 20 percent. That was the currency subsidy that Chinese company had. What is fair about that?

I learned today a paper company in Hamilton, OH, right smack in the middle of the home county and home district of the Speaker of the House, announced its closing. One of the main factors was low-cost imports from China.

When it comes to paper, here is what the Chinese do. They buy their pulp in Brazil, they ship it from Brazil to Chinese paper mills—in some sense across two oceans. They mill it, they ship it back to the United States, and yet they underprice us. Even though labor is 10 percent of the cost of paper production, they underprice us because apparently they subsidize water and energy and land and capital, plus they get this 25-percent currency subsidy.

Our trade deficit with China, which has more than tripled in the last decade after China was let into the World Trade Organization, pledging to follow the rule of law but breaking that pledge every day of the year—our trade deficit with China, now \$275 billion for the year, has risen through the economic food chain all the way through advanced technology products. What used to be made in China 10 years ago was similar—the Presiding Officer remembers growing up in Minnesota in the 1950s and 1960s when “Made in Japan” always used to mean something was cheap and sort of badly made. “Made in China” 10 years ago usually meant the cheapest products, the tchotchke kind of products. Today, with “Made in China,” they have worked their way up the technology chain so they compete with our wind turbine component production and they compete on all kinds of high-level kinds of goods.

In addition to paper, steel, aluminum, glass, and cement, all the things that have created the middle class in my State for decades, we are competing with China for jobs in solar and wind and clean energy component manufacturing and in the auto supply chain. We can compete on productivity. We have skilled workers. We have world-class infrastructure—although God knows it needs renovation and modernization. But how do you compete against an automatic across-the-board 25- to 30-percent subsidy?

I thank my colleagues this week for voting for that legislation—63, including the Presiding Officer's support—including the support to manufacturing. We need to pass that bill in the House of Representatives. The Speaker of the House has so far said he is not inclined to bring it up. I think the White House

has so far not supported this legislation, but we know the kind of broad bipartisan support it has and how important it is so we can begin to reenergize manufacturing in this country.

At the same time we took a step back this week, after the China trade currency bill, which was very progressive, important legislation for our manufacturing—we took a step back by passing trade deals with Colombia, South Korea, and Panama that will do more harm than good.

It is kind of amazing. Probably the too often used quote from Einstein where he said the definition of insanity is doing the same thing over and over and expecting a different result is exactly what has happened in trade agreements. Go back 20 years—18 years, in 1993, President Clinton—mimicking President Bush, who had negotiated the agreement—said the North American Free Trade Agreement would create 200,000 jobs in our country quickly. We have lost 600,000 net jobs because of NAFTA. That same model of NAFTA with investor-state relations—with investor-state provisions and other things, gave rise to the Central America Trade Agreement and other agreements that cost us jobs. Every time the administration—either party, it doesn't matter—promises these trade agreements will create jobs, they never do. This body, again—Colombia, North Korea, Panama—a strong majority of Senators again bought that line, “Hey, this is going to create jobs,” and it never does.

The same promises, businesses promise jobs will increase exports. They only talk about half of it. They say NAFTA, CAFTA, the Korea Free Trade Agreement, the Panama Free Trade Agreement, Colombia Free Trade Agreement, are going to mean more exports. Talking only about exports is like telling a baseball score and only reporting half of the score. Yesterday, the season obviously mercifully ended for the home team of the Presiding Officer, but it is like saying yesterday the Twins scored eight runs. Good for them, but the Indians scored 12. But they only told you about the Twins' runs. You don't report baseball scores that way. You report scores like the Twins got 12, the Indians only got 8, and it was 12 to 8 or the Tigers won 3 to 2.

With trade, the people who support these trade agreements are the same ones who say it lets us increase the exports. Maybe it is, but imports are increasing much more dramatically.

President Bush once said \$1 billion in trade surplus or trade deficit translated into 13,000 jobs. If you have a \$1 billion trade deficit, if you are selling more than you are buying, that creates 13,000 jobs. If you are buying more than you are selling, if you have a \$1 billion trade deficit, you lose 13,000 jobs. You know our deficit is in the range of \$600 billion. Do the math. Each time we